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Protecting Rights of Civil Servants

The Senate's approval, 79 to 4, of a "bill of rights" for federal employees shows commendable concern about unwarranted governmental invasion of privacy. It is to be hoped that the House will also approve the legislation at this session.

Protections in this measure apply only to federal employees. They ban polygraph (lie detector) and psychological tests for most federal employees; forbid requirements that job applicants must disclose their race, religion or national origin; rule out prying into personal finances except where conflict of interest might be involved; and protect employees from being forced to buy U.S. savings bonds or take part in political and other activities unrelated to their work.

Testimony at committee hearings over a period of several years showed the need for this legislation. Snooping into the private lives of federal employees and applicants for jobs has gone far beyond reasonable investigation into qualifications and integrity. Employees have been pressed to take part in activities that have nothing to do with their government jobs.

The purpose of this legislation is not only to protect constitutional rights of federal employees but also to help attract qualified employees for government service. A third purpose is to set an example for state and local governments and for private industries.

The Senate subcommittee which drafted this legislation expressed alarm about growing threats to privacy posed by an advanced technology and by more complex organizations. It noted that the expanded use of computers and data processing systems make it possible to gather and store a vast amount of information about individuals which can be used against them at any time in the future.

The subcommittee conceded that the government can receive some benefits from these developments, but it also said there is "an urgent need for defining the

areas of individual liberty and privacy which should be exempt from the unwarranted intrusions facilitated by scientific techniques."

The Central Intelligence Agency (CIA), the National Security Agency (NSA) and the Federal Bureau of Investigation (FBI) were exempted from most of the restrictions. They can continue to use lie detectors and psychological tests and can check on the financial status of employees or job applicants whenever the agency heads say this is in the interest of national security.

Senator Sam J. Ervin, jr., (Dem., N.C.), the major sponsor of the bill, saw no reason for these exemptions but was overruled by his colleagues. The secrecy which veils CIA and NSA operations makes it difficult to determine whether they need the exemptions they want. But it is probable that the bill couldn't have been approved if it did apply to these agencies. Maybe they will get the message, however, that Congress wants less invasion of personal privacy.

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